MEETINGS TO DATE 34 NO. OF REGULARS 23 NO. OF SPECIALS 11

LANCASTER, NEW YORK DECEMBER 4, 1989

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 4th day of December 1989 at 8:00 P.M. and there were

PRESENT:

RONALD A. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

DONALD E. KWAK, COUNCILMAN

JOHN T. MILLER, COUNCILMAN

STANLEY JAY KEYSA, SUPERVISOR

ABSENT:

NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK

BRUCE SHEARER, TOWN ENGINEER

RICHARD SHERWOOD, TOWN ATTORNEY

NICHOLAS LO CICERO, DEP. TOWN ATTORNEY

ROBERT L. LANEY, BUILDING INSPECTOR

THOMAS E. FOWLER, CHIEF OF POLICE

v

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board held on November 20, 1989 and the Joint Meeting of the Town Board and the Planning Board held on November 20, 1989, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.MIN (P2)

THE SEX

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal, dated November 29, 1989, for improvement of street lighting on various streets in Pinetree Farm Subdivision, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installations,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations within Pinetree Farm Subdivision:

Bluejay Circle - 1 Cardinal Court - 1 Hemlock Lane - 14 Pinetree Drive - 10 Spruceland Terrace - 12

#### Service Class #1

Connect 38 - 3300 lumen hps post-top hps lamps @ \$46.37 ea. - \$1762.06 Std. 1; Std. 1; Std. 1 through 14; Std. 1 through 10; Std. 1 through 12

TOTAL ANNUAL INCREASE - \$1762.06

50-watt hps fixtures, standards, conductors and an as-built sketch (showing location with footages of standards and conductors) to be supplied and installed by developer to NYSEG's specifications and approved by the Town of Lancaster; to be owned and maintained by NYSEG as provided for in PSC #118, Service Class #1.

and,

BE IT FURTHER

RESOLVED, that this proposal is made contingent upon the terms and conditions covered in New York State Electric and Gas Corp.'s street lighting filed tariff agreements with the Town of Lancaster, District No. 1.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.LGHTNG (P1)

JEX

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, it is the desire of the Town of Lancaster to renew the Agreement heretofore entered into by the Town of Lancaster and the Depew-Lancaster Boys' and Girls' Club, Inc., for the operation of a Junior Citizens Club at the Lancaster Branch of the said Boys' and Girls' Club, which expires according to its terms, on December 31, 1989, and

WHEREAS, said Depew-Lancaster Boys' and Girls' Club, Inc., has submitted and filed its 1989 Budget for the operation of said Junior Citizens Club,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute said Agreement on behalf of the Town of Lancaster, which have been drawn and approved by the Town Attorney.

The question of the adoption of the foreoging resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA ABSTAINED N.B.1

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

N.B. 1 - Councilman Giza abstained due to his position as Executive Director of the Depew-Lancaster Boys' and Girls' Club

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, ALBERT HECKO, 512 Baseline Road, Grand Island, New York, has submitted a site plan for the extension of the present building located on the east side of Transit Road and known locally as 6447 Transit Road, Depew, New York 14043, as depicted on a site plan prepared by Ron Steel Building Systems, and

WHEREAS, the Town Board has caused a review of the aforementioned site

WHEREAS, the Planning Board of the Town of Lancaster has approved the site plan November 15, 1989,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan as prepared by Ron Steel Building Systems for an extension to the commercial building on the east side of Transit Road known locally as No. 6447 Transit Road, Depew, New York, in the Town of Lancaster, as filed in the Town Clerk's office November 3, 1989, subject to the following condition:

Owner of premises to establish a green area screening on the north and south side of the building on the property line from a point at the front of the present existing building and running east to the rear of the lot line. Said screening to consist of a mixture of arbor vitae or other evergreen species, together with trees at least 10 feet in height and 2-1/2 inches in diameter.

The question of the adoption of the foregoing resoltuion was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

AND MARKET

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, KEITH A. WILKINSON, SR., 5360 Genesee Street, Bowmansville,
New York 14026, has petitioned the Town Board of the Town of Lancaster for the
rezone of certain property situate on the north side of Genesee Street,
Bowmansville, Town of Lancaster, New York, from an RCO -Residential, Commercial
Office to MFR-4 - Multi-family Residential District 4, and

WHEREAS, this Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of December, 1989, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and a copy of such Notice of hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

IX

# LEGAL NOTICE PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of December, 1989, the said Town Board will hold a public hearing on the 18th day of December, 1989, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and the Zoning Map of the Town of Lancaster, rezoning the following described real property from an RCO-Residential, Commercial Office District to MFR-4-Multi-family Residential District 4:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lots 5 and 7, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and more particularly bounded and described as follows:

BEGINNING at a point located on the northerly highway boundary of Genesee Street said point being 1,055.34 feet westerly from the westerly highway boundary of Martha Road (50.0 feet wide) as measured along the northerly highway boundary of Genesee Street; thence continuing westerly along the northerly highway boundary of Genesee Street, a distance of 224.23 feet; thence northerly at an interior angle of 920-58'-56", a distance of 155.72 feet; thence northwesterly at an exterior angle of 1240-01'-54", a distance of 212.82 feet; thence northerly at an interior angle of 108°-47'-31", a distance of 220.37 feet; thence easterly at an interior angle of 87°-59'-48", a distance of 134.93 feet; thence southerly at right angles a distance of 40.0 feet; thence easterly at right angles a distance of 20.0 feet; thence northerly at right angles a distance of 40.0 feet; thence easterly at right angles a distance of 170.0 feet; thence easterly at an interior angle of  $195^{0}$ -33'-26'', a distance of 464.25 feet; thence southerly at an interior angle of 63°-56'-16", a distance of 198.16 feet; thence westerly at an interior angle of 1140-46'-54" a distance of 327.76 feet; thence southerly at an exterior angle of 90°-07'-01", a distance of 231.06 feet to the place or point of beginning. Containing 4.645+ acres.

 $\label{full opportunity to be heard will be given to any and all citizens and all parties in interest.$ 

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

December 4, 1989

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled "VEHICLE & TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of December, 1989, at 8:00 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before December 7, 1989, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

#### LEGAL NOTICE PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resoltuion of the Town Board of the Town of Lancaster, adopted on the 4th day of December, 1989, the said Town Board will hold a Public Hearing on the 18th day of December, 1989, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

ARTICLE VIII - Stop and Yield Intersections:

\$46-8, Stop intersections designated, is hereby amended by adding thereto:

STREET	DIRECTION	ENTRANCE STREET	TRAFFIC STOPS	SIGN LOCATION
Aurora	North/south	Pine Tree Dr.	Westbound	N/E Cor.
Pine Tree Drive	East/west	Hemlock Lane	Northbound	S/E Cor.
Hemlock Lane	East/west	Giallanza Dr.	Northbound	S/E Cor.
Spruceland Ter.	North/south	Pine Tree Dr.	Eastbound	S/W Cor.
Hamlock Lane	East/west	Spruceland Ter.	Southbound	N/W Cor.
Hemlock Lane	East/west	(west entrance) Cardinal Court	Southbound	N/W Cor.
Spruceland Ter.	East/west	Blue Jay Circle	Northbound	S/E Cor.
Hemlock Lane	East/west	Spruceland Ter.	Southbound	N/W Cor.
Lake Avenue	North/south	Hemlock Lane	Eastbound	S/W Cor.
Meadowlea Park (entrance)	East	Broezel	Eastbound	S/W Cor.
Walden Pond Park	East	Ransom Road	Eastbound	S/W Cor.

 $\label{full-opportunity} \mbox{ fo be heard will be given to any and all citizens} \\ \mbox{and all parties in interest.}$ 

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

December 4, 1989

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK, TO WIT:

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC. offers a program for retarded adults in the communtiles of Lancaster, Alden, Marilla, Elma, East Aurora, Aurora and Wales, and

WHEREAS, this program consists of development, pre-vocational and work activities training program for those individuals in the range of mild to severe retardation, and

WHEREAS, the Center is presently located at 181 Lincoln Street,

Depew, New York, and its services in the area of evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and
counseling would be of substantial benefit to residents of the Town of
Lancaster, and

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC., by letter dated November 27, 1989, has offered to contract with the Town of Lancaster for the aforementioned services during the year 1990 for the total sum of Two Thousand One Hundred Dollars (\$2,100.00),

NOW, THEREFORE BE IT

RESOLVED, as follows:

- 1. That the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an Agreement with SOUTHEAST COMMUNITY WORK CENTER, INC., for a program for retarded adults residing in the Town of Lancaster for developmental, pre-vocational and work activities training program for those individuals in the range of mild to severe retardation, and evaluation, tutoring and development of self-help skills, personal adjustment training, recreation and coinseling, and
- That the sum of Two Thousand One Hundred Dollars be paid in four equal quarterly payments: January 1st, April 1st, July 1st and October 1st, 1990.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989



THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has requested the Town Board to advertise for bids to furnish new 1989 or 1990 Police Patrol Vehicles for use by the Police Department, and

 $\label{eq:WHEREAS} \mbox{ WHEREAS, the Police Committee of the Town Board has approved such request.}$ 

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in the Lancaster Bee and posted according to Law, that the Town will receive bids up to 8:15 o'clock P.M., Local Time, on December 18, 1989, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of New 1989 or 1990 Police Patrol Vehicles for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

LEGAL NOTICE TOWN OF LANCASTER NOTICE TO BIDDERS AND/OR AUTOMOBILE DEALERS

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Board of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:15 o'clock P.M. Local Time, on the 18th day of December, 1989, for furnishing to the Police Department of the Town of Lancaster, New York, New 1989 or 1990 Police Patrol Vehicles for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of Five Hundred Dollars (\$500.00) payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE TOWN OF LANCASTER BY: ROBERT P. THILL Town Clerk

December 4, 1989

SEX

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, CHESTNUT OAK DEVELOPMENT CORP., 1002 Chemical Bank Building, 69 Delaware Avenue, Buffalo, New York 14202, has previously submitted a map cover for a development known as Ridgecrest Condominiums, Phase I for approval of the Town Board, and

WHEREAS, the developer has now submitted an amended map cover illustrating the exact dimensions of the second building on the map cover for purposes of obtaining SBL Numbers from the assessor, and

WHEREAS, the Town Board has reviewed this subdivision map,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the following amended cover as submitted by the developer, Chestnut Oak Development Corp. for Ridgecrest Condominiums:

Amended subdivision map plan as submitted to the Town Board by letter from Chestnut Oak Development Corp., dated July 17, 1989, said map prepared by Bissell, Stone Associates, P.C., Consulting Engineers and Surveyors, dated February 10, 1989 and revised August 4, 1989 and further revises October 10, 1989, and entitled "Ridgecrest Condo, Town of Lancaster."

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA ABSTAINED N.B.1

The resolution was thereupon unanimously adopted.

December 4, 1989

N.B.-1 Supervisor Keysa abstained stating that as a private attorney, he represented the purchaser of Condo Unit No. 5 in this complex.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town Engineer has recommended to the Town Board of the Town of Lancaster the approval of Change Order No. 2 in the amount of a \$11,173.77 decrease for Contract No. LT-3, Eric County Sewer District No. 4,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 2, Contract LT-3, Iroquois Avenue Pump Station, under Project No. C-36-390-3 with Anastasi Trucking and Paving Company in the amount of a \$11,173.77 decrease, and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute this change order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.CHNG.ORD (P1)

## PREFILED RESOLUTION NO. 11

Czapla/\_\_\_\_\_ Contract with Blue Cross of Western N.Y. for Health
Insurance

 $\label{lem:councilman} \mbox{Councilman Czapla requested that this resolution be with drawn} \\ \mbox{for further study.}$ 

November 4, 1989

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, James DiLapo, Jr., 166 Rumsey Road, Buffalo, New York 14209, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Forestream Subdivision, Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application No. 191 of James DiLapo, Jr., 166 Rumsey Road, Buffalo, New York 14209 for the installation of:

P.I.P. No. 191 - Excavation of approx. 24,000 CY for Swan (South Branch Floodway) Lake, filling of lots 106, 65, 63, 62, 61, 60, 59, 39, 38, 29 and 28

be and is hereby approved and the installation of the improvement requested be and is hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.P.I.P.a (P1)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, it is the desire of the Town of Lancaster to renew the Agreement heretofore entered into by the Town of Lancaster and the Depew-Lancaster Boy's and Girls' Club, Inc., for operation of a Junior Citizens Club at the Depew Branch of the said Boys' and Girls' Club, which expires according to its terms, on December 31, 1989, and

WHEREAS, said Depew-Lancaster Boys' and Girls' Club, Inc., has submitted and filed its 1989 Budget for the operation of said Junior Citizens Club,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute said Agreements on behalf of the Town of Lancaster, which have been drawn and approved by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA ABSTAINED N.B. 1

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

N.B. 1 - Councilman Giza abstained due to his position as Executtive Director of the Depew-Lancaster Boys' and Girls' Club., Inc.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

Claim No. 10983 to Claim No. 11171 Inclusive. Total amount hereby authorized to be paid:

\$375,291.42

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.CLAIMS

32%

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

#### CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster.

<u>₩</u> O.	CODE	NAME	ADDRESS	STRUCTURE
637	(T)	Stratford Homes	9 Deepwood Pl	ER. SIN. DWLG
638	(T)	Stratford Homes	27 Running Brook La	ER. SIN. DWLG
639	(T)	Stratford Homes	25 Running Brook La	ER. SIN. DWLG
640		Patrick Francabandiero	36 Greenbriar Dr	ER. FIREPLACE
641		Donna Scalfora	16 Gale Dr	ER. FIREPLACE
642		NAS Quick Sign	4725 Transit Rd	ER. SIGN
and,				

## BE IT FURTHER

RESOLVED, that Building Permit No. 636 applied for by Spoleta Construction Company to erect a hotel on premises situate at 50 Freeman Road, be and is hereby tabled for further study, and,

## BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.BLDG (P1)

32X

e de la Agreca

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to establish a routine work week for the position of Town Attorney and Deputy Town Attorney, to adequately reflect the time spent by the employees in these two (2) appointed positions, and

WHEREAS, the Town Board has reviewed and considered the work week necessary to carry out the duties of these appointed positions,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby establishes a 30-hour work week for the position of Town Attorney and Deputy Town Attorney, which is based upon a five-day work week at six (6) hours per day.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution: SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town Board has discussed with the Village of Lancaster the possibility of developing jointly a park in the village known as Oxford Park, to include a Human Services Building as well as a playground area, and

WHEREAS, the Town Board has been advised by the Village that the firm of Flynn Battaglia Architects, PC, will prepare the preliminary plans for the general site development for the sum of Two Thousand Dollars (\$2,000.00), and

WHEREAS, the Village has requested that the Town contribute onehalf of this preliminary expense;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to enter into an agreement with the Village of Lancaster and to expend the sum of One Thousand Dollars (\$1,000.00) to be appropriated from "Other Engineering" in the town budget, for purposes of obtaining a general site development plan for the Oxford Park play area in the Village of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK, TO WIT:

WHEREAS, the following legislative initiatives are strongly suggested and supported by the Erie County Association of Governments, three Solid Waste Management Boards, Erie County Government, and the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster memorialize the Association of Towns of the State of New York to support on a state level, the following and similar legislative priorities for Solid Waste Management, to wit:

 Environmental Quality Bond Act (EQBA) Resource Recovery allocations of \$7.0 millon to Erie County will not be used for waste-to-energy.

Allow use of these (MFR) funds for intermunicipal material recycling facilities, satellite recycling center, and sewerage sludge and/or yard waste composting operations.

Make the purchases of existing building/structure, land and modifications eligible for 50% reimbursement.

Ex. Northeast Board MRF \$3.5 - \$4.9 million total capital costs including \$1.5 million for purchase of an existing building and \$0.9 million in modifications.

Allow any expenses on the projects made after October 1, 1989 to be retroactively eligible for 50% reimbursement.

Allow the use for capacity developed to serve neighboring counties or municipalities in neighboring counties, where this cooperation is advantageous.

 Extend the deadlines for needing both the DEC approved local solid waste management plan and comprehensive recycling analysis as a permit condition until September 1, 1992 and exempt recycling and composting facility permits from these conditions.

Ex. The Collins Transfer Station and the Buffalo East Side Transfer Station may have difficulty being re-permitted after January 1, 1990.

3. Local Solid Waste Management Plans.

Appropriate an additional \$7.5 - \$9.0 million statewide.

Allow funds to be used for site selection, environment impact studies, preliminary facility designs, hydrogeological studies.

Ex. Erie County has a  $$1.2\ \text{million}$  grant application awaiting funding.

25 X

4. Provide additional funds for the EQBA Recycling Program under which the purchased equipment for the collection of source separation recyclables and yard waste is eligible for 50% reimbursement, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be is hereby directed to forward a copy of this resolution to the Association of Towns of the State of New York and to State Senator Dale Volker and State Assemblyman Vincent Graber.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 4, 1989

File: R.MISC.

#### STATUS REPORT ON UNFINISHED BUSINESS:

- <u>Detention Basin Milton Drive</u>
   On June 6, 1988, The Town Engineer was directed to expedite this project.
- 2. <u>Dumping Permit New Creation Fellowship</u>
  On July 12, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
- Public Improvement Permit Authorization Forestream Village Subdivision, Phase I (DiLapo)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway Grading	Yes	No	No

4. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase II (DiLapo)

TYPE ]	SSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	No
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Floodway (S. Branch)	Yes	No	No
East Culvert (S. Branch)	Yes	Yes	No

5. <u>Public Improvement Permit Authorization - Indian Pine Village Subdivision</u> (Fischione Const., Inc.)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No
Floodway	Yes	No	No

6. <u>Public Improvement Permit Authorization - Lake Forest Subdivision</u> (Dana Warman)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

7. Public Improvement Permit Authorization - The Meadows Subdivision (Giallanza)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

### STATUS REPORT ON UNITINISHED BUSINESS (CONT'D.)

8. <u>Public Improvement Permit Authorization - Pine Tree Farm, Phase I</u> (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

9. <u>Public Improvement Permit Authorization - Pine Tree Farm, Phase II</u> (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

 Public Improvement Permit Authorization - Pleasantview, Phase I (Stephens)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement	Yes	No	No
Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

11. Public Improvement Permit Authorization - Plumb Estates (Galasso)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

12. Public Improvement Permit Authorization - Plumb Estates South, Phase 1
(Calasso)

ISSUED	ACCEPTED	BONDED
Yes	Yes	Yes
Yes	Yes	Yes
Yes	Yes	Yes
Yes	No	n/a
Yes	n/a	n/a
n/a	n/a	n/a
	Yes Yes Yes Yes Yes	Yes         Yes           Yes         Yes           Yes         Yes           Yes         No           Yes         n/a

13. <u>Public Improvement Permit Authorization - Plumb Estates South, Phase II</u> (Galasso)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

#### STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

14. Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

 Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Y <b>e</b> s
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

- 16. Rezone Petition Chestnut Oak Development Corp. (Mark Green) On November 20, 1989, the Town Board held a public hearing on this matter and reserved decision.
- 17. Rezone Petition O & B TV Inc.
  On November 27, 1989, this matter was referred to the Planning Board for review and recommendation to the Town Board.
- 18. <u>Rezone Petition Keith A. Wilkinson, Sr.</u> On November 15, 1989, the Planning Board recommended to the Town Board a favorable review of this proposed rezone. On December 4, 1989 the Town Board set a Public Hearing on this matter for December 18, 1989.
- State Contract Grant 40 Clark Street Museum. Application for grant has been filed.
- 20. <u>Subdivision Approval The Crossings</u> (Off Erie St.)
  Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.
- 21. <u>Subdivision Approval Deer Cross</u> (off William St.)
  On October 4 , 1989, the Planning Board approved this subdivision. On August 7, 1989, the Town Board adopted a negative SEQR Determination on this matter.
- 22. <u>Subdivision Approval Meadowland Subdivision</u> (Bosse Off Redlein Dr.) Review of this subdivision is on hold until surface water drainage problems are resolved by the developer.
- 23. <u>Subdivision Approval Thruway Industrial Park</u> (Off Gunville Rd.)
  On October 4,1989, the Planning Board approved the site plan for this subdivision.

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#### STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

- 24. <u>Subdivision Approval Willowridge Subdivision</u> (Gensis Off Aurora St.) On August 7, 1989 the Town Board adopted a negative SEOR determination on this matter. On September 16, 1989, the Chief of Police approved the site plan.
- 25. <u>Subdivision Approval Windsor Ridge</u> (Off Lake Avenue) On October 4, 1989, the Planning Board approved a sketch plan for this subdivision.
- 26. <u>Subdivision Approval Woodgate Subdivision</u> (Josela Off Aurora St.) On August 2, 1989, this matter was referred to the Planning Board and Chief Fowler for review and report. On September 6, 1989, the Chief of Police approved the site plan.
- 27. <u>Traffic Survey Speed Limit Siebert Road</u> On August 21, 1989, a petition from the residents of Siebert Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.
- 28. Traffic Survey Speed Limit Westwood Road
  On August 21, 1989, a petition from the residents of Westwood Road was
  presented to the Town Board and referred to the Chief of Police for review
  and recommendation.

## PERSONS ADDRESSING THE TOWN BOARD:

Gloria Kubicki, 15 Maple Drive. Spoke to the T.B. relative to the proposal of Keith Wilkinson to construct condominiums on a parcel of property on Genesee Street west of Martha Drive. Mrs. Kubicki expressed concern over increased surface water drainage on her property that would be caused by the proposed development.

Mark Green, 5799 Broadway, asked about the present status of the Cakridge Rezone Petition for condominiums on Bowen Road.

Mark Janis, 36 Greenfield Drive, asked about any plans for subdivision development east of Heritage Hills Subdivision.

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# COMMUNICATIONS

# DISPOSITION

1213.	Town Engineer to Councilman Kwak-	SEQR FILE
	Comments re: review of Ridge Crest Apartments site plan - flood plain for Cayuga Creek.	
1214.	NYS Legislative Comm. on Solid Waste Mgt. to Supervisor - Notice of 6th Annual Conference to be held in New York from 1/31-2/2/90.	SOLID WASTE COMMITTED
1215.	County Div. of Highways to Supervisor - Notice of bid opening on 12/7/89 re: Pavement Rd. Bridge Project;t.	R & F
1216.	NYS Off. of Parks, Recreation and Historic Preservation to Supervisor - Acknowledgement of receipt of resolution re: aid for Como Lake Park.	R&F
1217.	Supervisor to SUNYAB Anthropology Dept Request information re: watersheds passing through Town.	R & F
1218.	Town Clerk to Planning Board Chair Transmittal of O & B -TV Inc. rezone petition.	R & F
1219.	Local Review and You - Article re: 1990 Census.	R & F
1220.	County Dept. of Health to Town Board - Transmittal of Approval of Completed Works re: Pinetree Farm Subdivision water lines.	R & F
1221.	County STOP-DWI Program to Supervisor - Transmittal of executed contract for 1989.	R&F
1222.	New Creation Fellowship to Planning Board Chair	R & F
	Comments and questions re: site plan.	
1223.	Supervisor to LCSD Dir. of Transportation - Transmittal of data re: vehicles and drivers for fuel access.	RεF
1224.	NYSDEC to Supervisor - Comments re: SEQR Lead Agency designation for Lake Forest South Subdivision.	SEOR FILE
1225.	Supervisor to Depew Village Mayor - Request data re: new subdivision on Warner Rd.	R & F
1226.	Supervisor to NYSDOT - Request review re: bridge railing heights.	RεF
1227.	Town Attorney to Chris Brunea - Request extension of time re: Summons and Complaint.	R & F
1228.	Town Attorney to Town Engineer - Request review of engineering records re: drainage ditch within Heritage Hills Sub.	R&F
1229.	Wesley D. Stone - Notarized statement re: Ridgecrest Condo map covers.	RεF
1230.	Town Attorney to Gelert Devel. Corp Transmittal of deed re: Lancaster Commerce Center.	R&F

1231. Town Clerk to Town Board - Transmittal of anticipated organizational resolutions for review.	SUPERVISOR	
1232. Town Engineer to Town Board - Change Order No. 2 for Contract LT-3 re: Sewer Rehab Project.	R & F	
1233. Recreation Commission to Town Board - Minutes from meeting held 11/25/89.	R & F	
1234. Town Clerk to Town Engineer and Building Inspector -	R & F	
Transmittal of O & B - TV Inc. dumping permit application.		
1235. SECW to Supervisor - Request continuation of agreement for services rendered.	R & F	
1236. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of three variance petitions for meeting to be held 12/14/89.	R & F	
1237. Blue Shield to Supervisor - Notice of proposed rate increase effective 1/1/90.	R & F	
1238. NYSEG to Town Board - Street lighting proposal for Pinetree Farm Subdivision.	R & F	
1239. Krehbiel Engineer to Police Chief - Submittal of street names re: proposed subdivisions in the Village of Depew.	R & F	
1240. Krehbiel Engineer to Supervisor - Reply to request re: plans and drainage computations for Doe Havens Subdivision in the Village of Depew.	RεF	
1241. Niagara RID Frontier to Supervisor - Request cooperation in efforts during holiday season.	SUPERVISOR	
1242. NYSDEC to Amadori Const. Co Excavation permit for 61 Nichter Rd.	R & F	
1243. County Dept. of Health to Town Board - Transmittal of "Approval of Completed Works" for water lines within Forestream Village Subdivision, Phase II.	R & F	
1244. Town Clerk to Supervisor - Monthly report for November 1989.	R&F	
1245. Police chief to Public Safety Comm. Chair Request 12/18/89 bid opening for police vehicles.	R & F	
Councilman Giza requested a suspension of the necessary rule for		
immediate consideration of the following resolution -		
SUSPENSION GRANTED.		
1246. Proclamation declaring Dec. 10 to Dec. 16, 1989 "Drunk and Drugged Driving Awareness Week".	R & F	

## COMMUNICATIONS

DISPOSITION

1247. Town Attorney to Town Board -General Code Publishers - Recodification.

TOWN CLERK FOR NOTIF - ICATION TO G.C.P.

1248. R & D Engineering and Land Surveying, P.C. to Town Clerk -Final Subdivision Plat Approval for Lake Forest South Subdivision.

PLANNING BOARD

# ADJOURNMENT

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:20 P.M.